

ARGUMENTS

While Fed. R. Civ. P. 10(a) requires the names of all parties to be listed on a civil complaint, courts within the Third Circuit have allowed a sexual assault victim anonymity as a party. *See, e.g., Doe v. Oshrin*, 299 F.R.D. 100, 102 (D.N.J. 2014). This Court has previously recognized that sexual assault victims may be put at risk for ongoing harassment, stalking, and revictimization if their personal identifying information is made available to the public. *Oshrin*, 299 F.R.D. at 102–104. To proceed under pseudonym, a party must show that they have “both (1) a fear of severe harm, and (2) that the fear of severe harm is reasonable.” *Id.* at 102 (*citing Doe v. Megless*, 654 F.3d 404, 408 (3d Cir. 2011)). In weighing such a Motion, this Court should consider the relevant factors at play. *Id.* at 103 (*citing Megless*, 654 F.3d at 409).

Factors in support of Ms. Doe’s motion are: (1) her true identity has been kept confidential to date both in civil filings and previous campus and criminal case efforts; (2) Ms. Doe reasonably fears that the disclosure of her personal identifying information would allow T.D., or others who doubt and harass rape victims, to retaliate against her for speaking out, and worries about the stigma associated with revealing the specific nature of the damages she has suffered in relation to the claims, *see, e.g., Doe v. Provident Life*, 176 F.R.D. 464, 468 (E.D. Pa. 1997) (“Unfortunately, in our society, there is a significant stigma associated with being identified as suffering from a mental illness.”); (3) the public interest in allowing victims to keep their privacy while asserts their legal rights, which many do not due to embarrassment, harassment, retaliation, and other consequences, *see, e.g., Doe v. Evans*, 202 F.R.D. 173, 176 (E.D. Pa. 2001) (“[T]he public has an interest in protecting the identities of sexual assault victims so that other victims will feel more comfortable suing to vindicate their rights”); (4) the public interest in this action is not impeded by protecting Ms. Doe’s personal identifying information, *see, e.g., Oshrin*, 299 F.R.D. at 104

(“Plaintiff is a private citizen seeking to litigate private and highly-sensitive issues, not a public official for whom the public possesses a heightened interest. Moreover, even if Plaintiff’s actual identity remains confidential, these proceedings will remain public, thereby preserving any general public interest in the subject matter of this litigation.”) & Provident Life, 176 F.R.D. at 468; and (5) without this grant of anonymity, Ms. Doe will be deterred from publicly pursuing her claims, which may allow Defendants to similarly denying the civil rights of other student-victims absent a favorable ruling on her claims, *see, e.g., Evans*, 202 F.R.D. at 176. Of note, Ms. Doe has no illegitimate ulterior motives for seeking anonymity other than to maintain her privacy, safety, and well-being as a rape victim. Oshrin, 299 F.R.D. at 103.

CONCLUSION

For the foregoing reasons, Ms. Doe respectfully requests that the Court grant Plaintiff’s Motion for Leave to Proceed Under Pseudonym.

This 30th day of December 2021.

Respectfully Submitted,



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